

John S. Williamson, Bar No. 106485
jwilliamson@williamsonlawgroup.net

Connie L. Benson, Bar No. 185680
cbenson@williamsonlawgroup.net

WILLIAMSON LAW GROUP

1851 East First St., Suite 1225

Santa Ana, CA 92705

(657) 229-7400/FAX: (657) 229-7444

Attorneys for Defendants, STEVEN KILTY; FBN TRANSPORTATION, LLC; AMSTON SUPPLY, INC.; MARDAN TRANSPORTATION, LLC

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD HEREIN:

2 Defendants, STEVEN KILTY, FBN TRANSPORTATION, LLC, AMSTON
 3 SUPPLY, INC., AND MARDAN TRANSPORTATION, LLC, hereby submit the
 4 following Objections to Evidence submitted by VICTOR VALLEY TRANSIT
 5 AUTHORITY, TRANSDEV SERVICES, INC., VEOLIA TRANSPORTATION
 6 SERVICES, INC., AND DINORAH AGUILAR, in support of their Opposition to the
 7 Motion for Summary Judgement of MARDAN TRANSPORTATION, LLC.

Evidence Objected To	Location	Objection
Smart Cam Video	Exhibit “ 2 ” to Declaration of Jeremy Alberts at Page 2, Lines 12-14	<i>Lacks Foundation-</i> Bus Defendants offer this video but do not provide any foundation for the date or time of the recording. There is no information to authenticate the system on which it was recorded. The video is offered to support the assertion that “The white reflective tape also appears to be obstructed by the tractor’s vertical exhaust pipe and the camouflage military vehicle that was being hauled by Steven Kilty”.

		<p>1 There is no foundation for 2 the statement that this was 3 an “active lane of travel” 4 and the video in and of 5 itself does not verify that 6 statement. No foundation 7 that the video depicts 8 conditions as they existed 9 at the time of this 10 accident. F.R.E. 901</p>
<p>11 Photograph of Tractor</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p>	<p>12 Exhibit “<u>3</u>” to Declaration 13 of Jeremy Alberts at Page 14 2, Lines 15-16</p>	<p>12 Lacks Foundation- Bus 13 Defendants provide no 14 date, time, location or 15 identification (beyond 16 “taken by Veolia”), of 17 who took the subject 18 photograph. Further, the 19 photograph was 20 apparently taken post- 21 accident. Accordingly, it 22 cannot be used to 23 demonstrate the 24 appearance of the tractor 25 or the equipment on it 26 prior to the subject 27 accident or more 28 importantly, at the time of</p>

1	its lease to FBN and/or
2	Steven Kilty. F.R.E. 901.
3	<i>Calls for Opinion of an</i>
4	<i>Expert</i> Bus Defendants
5	proffer this photograph to
6	support a bare,
7	unsupported assertion that
8	the location of the white
9	reflective conspicuity tape
10	on the cab of the tractor as
11	shown in the photograph
12	constitutes a violation of
13	law. Bus Defendants
14	make this assertion
15	improperly with no
16	testimony of an expert to
17	support it. F.R.E. 702

DATED: April 15, 2019

WILLIAMSON LAW GROUP

/s/ Connie L. Benson

Connie L. Benson

cbenson@williamsonlawgroup.net

Attorneys for Defendants, STEVEN KILTY;
FBN TRANSPORTATION, LLC; AMSTON
SUPPLY, INC.; MARDAN
TRANSPORTATION, LLC

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2019, I electronically transmitted the following document(s) to the Clerk's Office using the CM-ECF System for filing and transmittal of Notice of Electronic filing to the following CM-ECF registrants:

DOCUMENT(S) SERVED:

**MARDAN TRANSPORTATION, LLC'S EVIDENTIARY OBJECTIONS TO
VICTOR VALLEY TRANSIT AUTHORITY, TRANSDEV SERVICES, INC.,
VEOLIA TRANSPORTATION SERVICES INC., AND DINORAH AGUILAR'S
EVIDENCE IN OPPOSITION TO MOTION FOR SUMMARY JUDGMENT**

PARTIES SERVED:

Martin D. Gross, Esq.

Martin@lawgross.com

LAW OFFICES OF MARTIN D. GROSS

2001 Wilshire Blvd., Suite 320

Santa Monica, CA 90403

(310) 453-8320/FAX: (310) 861-1359

ATTORNEYS FOR PLAINTIFFS, MARGARET KEIPER AND DAIL KEIPER, JR., INDIVIDUALLY AND AS THE SUCCESSORS-IN-INTEREST TO DAIL KEIPER, SR.

Paul R. Kiesel

kiesel@kiesellaw.com

Steven D. Archer

archer@kiesellaw.com

Stephanie Taft

taft@kiesellaw.com

KJESEI LAW

8648 Wilshire Blvd

Beverly Hills, CA 90211-2910

310-854-4444/FAX: 310-854-0812

**ATTORNEYS FOR PLAINTIFFS, MARGARET KEIPER AND DAIL KEIPER,
JR., INDIVIDUALLY AND AS THE SUCCESSORS-IN-INTEREST TO DAIL
KEIPER SR**

1 James F. Tierney III
2 jtierney@bentleymore.com

3 BENTLEY & MORE LLP
4 1710 Plum Lane, Suite A
Redlands, CA 92374

5 (909) 635-3800 x 251 / (949) 732-6291

6 **ATTORNEYS FOR PLAINTIFFS, MICHAEL CHESTNUT, MISIONA
TUSIESEINA, and ARIEL DEROSIER**

7 Kevin L. Elder, Esq.
8 kelder@penneyandassociates.com

9 PENNEY & ASSOCIATES
10 6536 Lonetree Blvd.
Rocklin, CA 95765

11 (916) 786-7662/FAX: (916) 786-0144

12 **ATTORNEYS FOR PLAINTIFFS, JESUS AGUILAR, NAIOMI BRIDGETTE,
JERMAINE RATLIFF, a minor, by and through his Guardian ad Litem, NAIOMI
BRIDGETTE; PEDRO MIRANDA**

14 Robert W. Brannen, Esq.
15 rbrannen@penneyandassociates.com

16 PENNEY & ASSOCIATES
17 2150 River Plaza Dr., Suite 205
Sacramento, CA 95833

18 (916) 443-5506/FAX: (916) 669-0416

19 **ATTORNEYS FOR PLAINTIFFS, JESUS AGUILAR, NAIOMI BRIDGETTE,
JERMAINE RATLIFF, a minor, by and through his Guardian ad Litem, NAIOMI
BRIDGETTE; PEDRO MIRANDA**

21 James R. Tedford II, Esq.
22 ted@tedfordlaw.com

23 TEDFORD & ASSOCIATES
24 301 E. Colorado Blvd., Suite 514
Pasadena, CA 91101

25 (626) 793-8607/FAX: (626) 793-7293

26 **ATTORNEYS FOR PLAINTIFF, DINORAH AGUILAR**

1 Adrianos Facchetti, Esq.

2 adrianos@facchettilaw.com

3 reagan.facchettilaw@gmail.com

4 LAW OFFICES OF ADRIANOS FACCHETTI, PC

5 301 E. Colorado Blvd, Suite 514

6 Pasadena, CA 91101

7 (626) 793-8607/FAX: (626) 793-7293

8 **ATTORNEYS FOR PLAINTIFF, DINORAH AGUILAR**

9 Marisa Rodriguez, Esq.

10 mrodriguez@wwhgd.com

11 Jeremy R. Alberts, Esq.

12 Admitted Pro Hac Vice

13 jalberts@wwhgd.com

14 WEINBERG, WHEELER, HUDGINS, GUNN & DIAL, LLC

15 6385 S. Rainbow Blvd., Suite 400

16 Las Vegas, NV 89118

17 (702) 938-3838/ Facsimile: (702) 938-3864

18 **ATTORNEYS FOR VICTOR VALLEY TRANSIT AUTHORITY; DINORAH
19 AGUILAR; TRANSDEV SERVICES, INC.; AND VEOLIA TRANSPORTATION
20 SERVICES, INC.**

21 Andrea Alexander, Esq.

22 ana@alexanderlawpc.com

23 ALEXANDER LAW GROUP, PC

24 10960 Ventura Blvd, Second Floor

25 Studio City, CA 91604

26 (818) 237-3179/ (702) 938-3864

27 **ASSOCIATED ATTORNEYS FOR VICTOR VALLEY TRANSIT
28 AUTHORITY; DINORAH AGUILAR; TRANSDEV SERVICES, INC.; AND
VEOLIA TRANSPORTATION SERVICES, INC.**

William Barr
Attorney General of the United States
Robert S. Brewer, Jr., United States Attorney
Katherine L. Parker
Glen F. Dorgan,
glen.dorgan@usdoj.gov
Valerie E. Torres, Esq.
valerie.torres@usdoj.gov
Special Attorneys to the Attorney General
Office of the U.S. Attorney
880 Front Street, Room 6293
San Diego, CA 92101
(619) 546-7665 / (619) 546-7751

ATTORNEYS FOR THIRD-PARTY DEFENDANT UNITED STATES OF AMERICA

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 15th day of April, 2019 at Santa Ana, California.

/s/ Jackie Renfroe
JACKIE RENFROE